

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

Plaintiff Tyson Walker initiated this action *pro se* after the court allowed him to proceed *in forma pauperis*. (Doc. No. 4). The court thereafter dismissed Walker's action without prejudice and judgment was entered accordingly. (Doc. Nos. 16, 17). Walker has appealed this judgment. (Doc. No. 19). Before the court Walker's Motion to Proceed *In Forma Pauperis* on Appeal, wherein Walker seeks to proceed with that appeal without prepayment of the necessary filing fees. (Doc. No. 20). Walker has also attached a certificate of inmate account and assets indicating that he has little, if any, money with which to pay the mandatory filing fee. (Doc. No. 20).

Although he is a prisoner, Walker must pay the statutory appeal fee of \$505.00 for this action pursuant to 28 U.S.C. § 1915(b)(1). Based upon the information contained in the Certificate of Inmate Account and Assets submitted by Walker, no partial filing fee shall be assessed for this action pursuant to 28 U.S.C. § 1915(b)(1). Nevertheless, Walker will be obligated to make monthly payments in the amount as determined by 28 U.S.C. § 1915(b)(2) until said filing fee is paid in full. The full fee will be collected even if the appeal is denied. Cf. 28 U.S.C. § 1915(e)(2); 28 U.S.C. § 1915(A). Accordingly, Walker's Motion to Proceed In Forma Pauperis (Doc. No. 20) is

Dated this 24th day of July, 2018.

/s/ *Charles S. Miller, Jr.*

Charles S. Miller, Jr.  
United States Magistrate Judge